



House of Representatives

General Assembly

File No. 304

February Session, 2012

Substitute House Bill No. 5037

House of Representatives, April 10, 2012

The Committee on Public Health reported through REP. RITTER, E. of the 38th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING PUBLIC HEALTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-249 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 When any person, charged with any offense punishable by fine or
4 imprisonment or both, has been found not guilty because of mental
5 illness and, by reason of such mental illness, has been committed for
6 confinement or treatment to any institution supported in whole or in
7 part by the state, the expense for the support and treatment of such
8 person while so committed shall be [charged to the state.] paid to the
9 state. The state may recover for the cost of such support and treatment
10 in the manner provided in sections 17b-122, 17b-124 to 17b-132,
11 inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive,
12 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340 to 17b-350,
13 inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2012</i>	17b-249
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PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Resources of the General Fund	GF - Revenue Gain	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a revenue gain to the state associated with allowing the recovery of the cost of care for individuals found not guilty because of mental illness.

Annually, the Psychiatric Security Review Board (PSRB)¹ averages 159 individuals under its jurisdiction, of whom approximately 5 are newly committed, 25 are on conditional release and 5 are discharged.² The average annual cost per client varies based on the services utilized. For example, an individual receiving acute psychiatric inpatient services would cost the Department of Mental Health and Addiction Services (DMHAS) approximately \$95,650 per year. An individual receiving outpatient services (\$5,125) and case management (\$4,600) would cost approximately \$9,725 annually.³

The annual revenue gain to the state would be based on the cost of support and treatment provided by the state and the ability of such

¹ The PSRB determines the level of confinement and treatment for individuals found not guilty of a crime by reason of mental disease or defect. Acquittees are committed to the Board by the Superior Court.

² Calculations represent a five year average based on PSRB Annual Statistics Reports for FY 07 through FY 11. The average number of individuals discharged includes the average number of individuals who died during this time.

³ Average annual cost per slot by program based on DMHAS sample data of PSRB client profiles.

individuals, and others legally liable, to pay.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5037*****AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING PUBLIC HEALTH.*****SUMMARY:**

This bill authorizes the state to recover the cost of caring for an individual committed to a state institution after being found not guilty of a crime by reason of a mental illness. It authorizes the state to follow existing statutory collection methods. (Presumably, recoveries will be made in a similar manner to those for residents of state humane institutions.) Current law requires the state to be charged for these costs.

EFFECTIVE DATE: July 1, 2012

BACKGROUND***Recoveries of State Humane Institution Care Costs***

By law, current or former residents of state humane institutions, including the Department of Mental Health and Addiction Services facilities, are liable to repay the state the cost of their care. If the resident is unable to pay, the state can recover all or part of the cost from legally liable relatives (e.g., spouse or minor's parent), based on their ability to pay. The state comptroller sets the maximum amount the state can collect.

The state generally recovers these costs from either (1) the individual's estate after he or she dies or (2) windfalls, such as inheritances or lawsuit proceeds. If the individual owns a home, the state may place a lien on it to make a recovery.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/26/2012)